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TO

Facilitate the Restoration of certain Evicted Tenants in A.D. 1896,
Ireland to their Former Holdings.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

5 **1.** Section thirteen of the Purchase of Land (Ireland) Act, 1891, shall have effect as if enacted in this Act, with the modification that agreements thereunder may be entered into at any time within *twelve months* after the passing of this Act.

Re-enactment with modifications of 54 & 55 Vict. c. 48, s. 13.

10 **2.** A Board of Conciliation shall be constituted under this Act, consisting of a chairman and two other members, who shall hold office for a period of *three years*.

Establishment of Board of Conciliation.

15 **3.—(1.)** Where the tenancy of a holding has been determined since the *first day of May, one thousand eight hundred and seventy-nine*, the former tenant or the landlord of such holding, or both jointly, may, within *one year after the commencement of this Act*, apply in the prescribed manner to the Board for the re-instatement of the tenant in such holding, or for the sale of such holding to the tenant.

Applications to Board.

20 **(2.)** Upon any such application for re-instatement being made jointly by landlord and tenant, it shall be lawful for the Board to make, in the prescribed manner, an order restoring the tenant to the tenancy of his former holding upon such terms and subject to such rent as may be agreed upon between the landlord and the tenant: Provided that, if the landlord and the
25 tenant consent in the prescribed manner, the Board may fix what is the fair rent of the holding, and the rent so fixed shall be the judicial rent of the holding, as if it had been fixed by the Irish Land Commission, and the order fixing the rent shall be communicated in the prescribed manner by the Board to the Irish Land

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Commission and recorded by them, and shall have effect as from the date thereof, or from such date as shall be fixed by said order.

(3.) In case it shall be so agreed upon between the landlord and the tenant, it shall be lawful for the Board to make, in the prescribed manner, an order for the sale of such holding to the tenant at such price as may be agreed upon between the landlord and the tenant, and approved of by the Board.

Upon such order for sale being made, the Board shall take proceedings, in the prescribed manner, for vesting the holding in the tenant, charged with a purchase annuity, and for doing all things necessary for carrying into effect the purchase, as if they were the Land Commission, and the order were an agreement for a purchase, and upon the requisition of the Board, in the prescribed manner, a sum of guaranteed land stock, equal in nominal amount to such purchase money, shall be issued accordingly, and the Purchase of Land (Ireland) Act, 1891, and the Land Purchase Acts therein defined shall apply as if they were herein re-enacted, and in terms made applicable to the Board, and to the purposes of this section, and the Treasury may make rules for defining the portions of the Acts so to apply, and the adaptations necessary for such application, and for carrying this section into effect: Provided that the purchase annuity shall be payable to, and be collected by, the Land Commission in like manner as any other purchase annuity payable under the Land Purchase Acts aforesaid.

(4.) In the case of an application for the re-instatement of the tenant in his former holding, or for the sale of such holding to the tenant, being made by the tenant alone, it shall be lawful for the Board to communicate, in the prescribed manner, with the landlord, and in the case of such application being made by the landlord alone, to communicate, in the prescribed manner, with the tenant, with a view of obtaining the consent thereto of the landlord or the tenant, as the case may be; and upon receiving the consent, in the prescribed form, of such landlord or tenant, as the case may be, it shall be lawful for the Board to take such proceedings, and make such order, as if a joint application had been made within the meaning of this section.

Settlement
of arrears.

4. Before making any such order for re-instatement, or for sale, as is herein-before provided for, the Board shall ascertain the amount (if any) due to the landlord for arrears of rent up to the date of the eviction of the tenant; and, upon such amount being so ascertained, may, out of the money at their disposal for the purposes of this section, order, in the prescribed manner, such sum to be paid to

the landlord in respect thereof as, taking all the circumstances of the case into account, they may deem just: Provided that such sum shall not be paid to the landlord till the said order for re-instatement or for sale has been made.

A.D. 1890.

Provision for
rebuilding
buildings
and aiding
tenants.

- 5 5. Upon the making of an order for the re-instatement of the tenant in his holding, or for the sale to the tenant of such holding, the Board shall ascertain the amount (if any) which may be necessary for rebuilding or putting into tenenable repair the dwelling-house and farm buildings (if any) which were on such
10 holding at the date of the eviction of the tenant, and for enabling the tenant to stock and crop his holding, and on such amount being so ascertained, may, out of the moneys at their disposal for the purpose of this section, order, in the prescribed manner, to be paid to the tenant for any such purpose such sum as they may deem
15 sufficient.

Constitution
and payment
of Board.

- 6.—(1.) The following persons, that is to say,
shall be the Board of Conciliation under this Act, and the said
shall be the chairman thereof. They shall hold
office for *three years* from the commencement of this Act, and if
20 any vacancy occurs in the office of any member of the Board by death, resignation, incapacity, or otherwise, the Lord Lieutenant may, by warrant, appoint some other fit person to fill the vacancy, who shall hold office only for the same period as the vacating member would have held it: Provided that the chairman of the
25 Board shall be a member of the Irish Bar of not less than *ten years'* standing.

- (2.) The Board shall have a seal, and their Acts shall be signified under that seal, authenticated by the signatures of the members of the Board or the signature of one of them, and judicial notice shall
30 be taken in all courts of such seal, and any order or other instrument purporting to be sealed therewith shall be received as evidence without further proof.

- (3.) There shall be paid as from the date of his appointment to each member of the Board a salary not exceeding, together with
35 any salary already payable to him (if any), *two thousand pounds*.

- (4.) The Board may, with the consent of the Lord Lieutenant, appoint and employ such officers and persons as, with the consent of the Treasury, may be considered necessary for the purposes of this Act.

- 40 (5.) *There shall be paid out of moneys to be voted by Parliament to the persons employed by the Board such remuneration as may be fixed by the Lord Lieutenant with the consent of the Treasury.*

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(6.) *The said salaries and remuneration, and all expenses incurred by the Board in carrying this Act into effect, not otherwise provided for, shall be paid out of moneys to be provided by Parliament.*

(7.) *The enactments mentioned in the schedule to this Act shall be incorporated with and apply to the Board as if they were herein re-enacted, and in terms made applicable to the Board.*

Provision of funds

7.—(1.) *For the purpose of advances under the provisions of sections four and five of this Act any sum or sums not exceeding in the whole the sum of pounds may be issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, and placed at the disposal of the Board for such purposes.*

(2.) *The Treasury may borrow the sum authorised by this section to be issued out of the Consolidated Fund, or any part of that sum.*

No appeal allowed from Board.

8. No appeal shall lie from any order made by the Board, nor shall any such order be removable by certiorari.

Definitions.

9. In this Act, unless the context otherwise requires—

The expression "landlord" means a landlord within the meaning of the Purchase of Land (Ireland) Act, 1891, and the Land Purchase Acts therein defined, and includes the successor in title of the person who was landlord at the determination of a tenancy.

The expression "tenant" means the tenant of a holding at the date of eviction, or his personal representative, not being an administrator who has obtained letters of administration as a creditor.

The expressions "holding," "fair rent," and "judicial rent," have the same meaning as in the Land Law (Ireland) Act, 1881.

The expression "prescribed" means prescribed by rules made by the Board, with the approval of the Privy Council, which rules the Board is hereby empowered to make.

The expression "the Board" means the Board of Conciliation constituted by this Act.

Commencement of Act.

10. This Act shall come into operation the day after the passing thereof.

Short title.

11. This Act may be cited as the Board of Conciliation (Ireland) Act, 1896.

SCHEDULE.

A.D. 1896.

—	<i>Acts applied.</i>	—
44 & 45 Vict. c. 49.	Land Law (Ireland) Act, 1881.	Sections fifty-five and fifty-six.
5 48 & 49 Vict. c. 73. -	Purchase of Land (Ireland) Act, 1885.	The last subsection of section seventeen, and section eighteen.

Evicted Tenants (Ireland).



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To facilitate the Restoration of certain
Evicted Tenants in Ireland to their
Former holdings.

*(Prepared and brought in by
Mr. Clancy, Mr. John Redmond,
Mr. Patrick O'Brien, Mr. O'Kelly, Mr. Hayden,
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